IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

Bail Appl..No. 7740 of 2007()

CRIME NO.425/07 OF MATTANNUR POLICE STATION

.....

PETITIONER/ACCUSED:

K.K. RAGHUNATHAN, S/O. GOVINDAN,
AGED 39 YEARS, KARAMKATTI HOUSE, 'RAGHU NIVAS',
KEEZHALLOOR AMSOM, KOTHERI DESOM, MATTANNUR.

BY ADV. SRI.C.P.PEETHAMBARAN

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE STATION HOUSE OFFICER,
MATTANNUR POLICE STATION THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 7740 of 2007

Dated this the 12th day of December, 2007

ORDER

Application for regular bail. The petitioner faces allegations in a crime registered under Sec.306 of the IPC. A young woman aged 23 years committed suicide on 12/11/2007. She allegedly committed suicide for the reason that the petitioner had sexually abused her when she was a student in the VIII standard – about 8 years back. The thought of such sexual exploitation and abuse was haunting her and this ultimately operated as a reason for her commission of suicide, it is alleged. The petitioner was arrested on 22/11/07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that there are absolutely no elements of the offence under Sec.306 of the IPC revealed in this case. Even assuming that there is any such incident, the petitioner, who has remained in custody from 22/11/07, does not deserve to endure the trauma of arrest and incarceration for what he had allegedly done more than 8

years back. He may, at any rate, be enlarged on bail, prays the learned counsel for the petitioner.

3. The learned Public Prosecutor does not oppose the application and I am satisfied, in the facts and circumstances of this case, that the petitioner can be enlarged on bail subject to appropriate terms and conditions.

4. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.25,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

Sd/-

(R. BASANT, JUDGE)

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